

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the amendment by striking out all of the first paragraph after the title (page 1, lines 12 to 14 in amendment) and inserting the following:

'Amend the bill in section 3 in §565-A in subsection 1 in the last paragraph in the last line (page 3, line 2 in L.D.) by inserting after the following: "days." the following: 'Notwithstanding the issuance of an administrative order under this subsection, the commissioner may authorize the owner or operator of the underground oil storage tank to dispense any remaining oil in the tank if, in the commissioner's judgment, doing so will not pose a threat of release of product or will reduce that threat.' '

SUMMARY

This amendment removes language that would require the Commissioner of Environmental Protection to find that the threat of an oil release is imminent before the commissioner can issue an administrative order prohibiting the operation of an oil storage tank that is out of compliance with the operation and maintenance requirements of Maine law.

The amendment authorizes the owner or operator of an oil storage tank that is subject to an administrative order prohibiting operation of the tank to dispense any remaining oil in the tank if the commissioner finds that doing so does not pose a threat of release of product or would reduce that threat.